

AMENDED IN SENATE MAY 10, 2011

AMENDED IN SENATE APRIL 25, 2011

SENATE BILL

No. 724

**Introduced by Senator Dutton
(Coauthors: Senators Cannella, Correa, Huff, Rubio, and
Strickland)**

February 18, 2011

An act to add ~~Sections 43103 and 43103.5~~ *Section 43103* to the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

SB 724, as amended, Dutton. State Air Resources Board: mobile source certification.

(1) Existing law grants to the State Air Resources Board the primary authority for the control of air pollution from vehicular sources. The state board tests and certifies new motor vehicle models for compliance with air pollution emissions standards developed by the state board.

~~This bill would require an application for certification of a new, a carryover, or a partial carryover on-road or off-road vehicle, engine, or equipment family to be approved or disapproved pursuant to specified requirements. The bill would authorize the state board to approve an application for certification of a new, a carryover, or a partial carryover on-road or off-road vehicle, engine, or equipment family for any model year that has been certified by the federal Environmental Protection Agency without requiring the applicant to submit to additional testing prior to certification, if specified requirements are met.~~

~~The bill would require the state board to create a separate, short form certification application template for a 2014 model year and later carryover vehicle, equipment, or engine family and for a 2014 model~~

~~year and later partial carryover vehicle, equipment, or engine family. The bill would require these application forms to contain a section for the applicant to certify, under penalty of perjury, specified information. By expanding the scope of the crime of perjury, the bill would impose a state-mandated local program.~~

~~(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

~~*This bill would require the state board, within 30 working days after receipt of an application for certification of a new, a carryover, or a partial carryover on-road or off-road vehicle, engine, or equipment family, as defined, to inform the applicant, in writing, either that the application is complete and accepted for filing, or that the application is deficient, identifying the specific information required to make the application complete.*~~

~~Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: *yes-no*.~~

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 43103 is added to the Health and Safety
- 2 Code, to read:
- 3 43103. (a) As used in this section ~~and in Section 43103.5~~, the
- 4 following terms have the following meanings:
- 5 (1) “Carryover vehicle, engine, or equipment family” means an
- 6 on-road or off-road vehicle, engine, or equipment family whose
- 7 application for certification differs from the vehicle, engine, or
- 8 equipment family certified in the previous model year in
- 9 model-year designation only.
- 10 (2) “Certification” has the same meaning as in Section 39018,
- 11 except “certification” does not include the certification of
- 12 aftermarket parts or onboard diagnostic systems or equipment or
- 13 the verification of retrofit devices for on-road or off-road
- 14 heavy-duty diesel vehicles.
- 15 (3) “Partial carryover vehicle, engine, or equipment family”
- 16 means an on-road or off-road vehicle, engine, or equipment family
- 17 that is certified to the same emission standards and the same
- 18 certification category as the prior certified model year, if there has

1 been no change to the applicable emission standard and
2 requirements, including, but not limited to, durability and warranty
3 requirements, and no change in emissions performance from
4 changes to emission-related components, engine configurations,
5 calibrations, or designs, as determined by the state board. The state
6 board may adopt regulations that further define “partial carryover
7 vehicle, engine, or equipment family” for different types of
8 vehicles, engines, or equipment families.

9 (4) “Working day” means any day that is not a Saturday,
10 Sunday, or state-recognized holiday as provided in Sections 6700
11 and 6701 of the Government Code.

12 (b) ~~(4)~~ Within 30 working days after receipt of an application
13 for certification of a new, a carryover, or a partial carryover on-road
14 or off-road vehicle, engine, or equipment family, the state board
15 shall inform the applicant, in writing, either: (A) that the application
16 is complete and accepted for filing, or (B) that the application is
17 deficient, identifying the specific information required to make
18 the application complete.

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21 **All matter omitted in this version of the bill**
22 **appears in the bill as amended in the**
23 **Senate, April 25, 2011. (JR11)**
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